

REMARKS

Drawings

The drawings filed on January 28, 2002 are objected to by the Examiner; specifically, the Examiner has noted that word labels should accompany the various elements to make it easier to understand. Applicants are submitting herewith annotated drawings and replacement drawings for Figs. 1 and 2 wherein the appropriate word labels have been added. The Examiner is respectfully requested to acknowledge receipt of the replacement drawings.

Proof of Copendency

The Examiner has requested Applicants to provide proof of copendency with the parent PCT application. Applicants are enclosing herewith an executed Certification of Copendency by authorized officers of Siemens Aktiengesellschaft. The two persons who executed the Certification of Copendency are Gerhard KÜHL and Harry WOLFF, both authorized officers of Siemens Aktiengesellschaft.

Additionally, Applicants are submitting herewith copies, of the following documents: (1) the Notification of Receipt of Demand (Form PCT/IPEA/402), and (2) the Notification Concerning Elected Offices (Form PCT/IB/332). Applicants' submissions are believed to address and obviate the Examiner's requirement. Applicants accordingly request to be accorded benefit under 35 U.S.C. § 120.

Prior Art

Claims 1-15 are all the claims pending in the application. Claims 1-15 are rejected under 35 U.S.C. § 102(b) as being anticipated by the Universal Serial Bus Specification, Revision 1.1

(hereinafter the USB Specification). For the reasons set forth below, Applicants respectfully traverse the rejection and request favorable disposition of the application.

Argument

The invention disclosed in the present application is directed, *inter alia*, to controlling various functions within an industrial facility, e.g., an industrial plant or factory. As disclosed in the present specification, certain benefits are achieved in the unique setting of an industrial facility owing to certain features of USB. Accordingly, the claims explicitly recite certain hardware that is unique to the disclosed application of USB and which is neither taught nor suggested in the USB Specification. For example, the USB Specification does not teach or suggest “an industrial control unit operable to control one or more USB devices in an industrial plant”, or “an industrial control panel operable to communicate with said industrial control unit as a USB device and further operable to control various functions of the industrial plant.” Claim 1 and all claims dependent thereon are patentable over the USB Specification.

For similar reasons, claims 10-13 are patentable over the prior art. Specifically, the USB Specification does not teach or suggest “a plurality of integrated functional units, each of which is associated with a respective USB controller and wherein one or more of the functional units is operable to control a respective function within an industrial plant.”

Additionally, for similar reasons as those set forth above, claims 14 and 15 are patentable over the prior art. Specifically, the USB Specification does not teach or suggest “providing an industrial control unit operable to control one or more USB devices within the industrial facility.”

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/055,989

Lastly, in addition to their dependency on allowable claims 1 and 10, respectively, at least claims 4 and 11 recite independently patentable subject matter. Specifically, the USB Specification neither teaches nor suggests any of a touch screen input unit, a status display, a key display, a touch pad, a roller ball, and a piezo pad. Nor does the USB Specification teach or suggest functional units that are input or output components. For these respective additional reasons, claims 4 and 11 are patentable.

Conclusion

In view of the foregoing amendments and remarks, the application is believed to be in form for immediate allowance with claims 1-15, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to **contact the undersigned** at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 13, 2004

Attorney Docket No.: Q67989

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Matthias REBELLIOUS, et al.

Appln. No.: 10/055,989

Group Art Unit: 2173

Confirmation No.: 2124

Examiner: Not Yet Assigned

Filed: January 28, 2002

For: DEVICE FOR CONNECTING AN INDUSTRIAL CONTROL UNIT TO AN
INDUSTRIAL CONTROL PANEL

CERTIFICATION OF COPENDENCY

RECEIVED

APR 19 2004

Commissioner for Patents
Washington, D.C. 20231

Technology Center 2100

Sir:

The undersigned, a representative of SIEMENS AKTIENGESELLSCHAFT, states and certifies as follows:

THAT the present application, captioned above, was filed as a Continuation Application, under 35 U.S.C. § 111 (a) and 37 C.F.R. § 1.53, of International Application PCT/DE00/02243, filed July 10, 2000, in accordance with the procedures outlined in Sections 1895 et seq. of the Manual of Patent Examining Procedure;

THAT SIEMENS AKTIENGESELLSCHAFT is the owner of the entire right, title and interest of the present application, captioned above, by virtue of an Assignment from all of the inventors thereof executed on April 3 and 8 and May 7, 2002, recorded on June 4, 2002 at Reel No. 012955, Frame 0371; and

THAT neither the international application nor the designation of the United States was withdrawn or considered to be withdrawn prior to the filing date of the present application, captioned above.

The undersigned (whose title is supplied below) is empowered to sign this certification on behalf of the assignee.

Date: 2004-2-27


[Signature(s)]

AUTHORIZED OFFICERS
TITLE(S) OF AUTHORIZED OFFICER(S)

Gerhard Kühl, Senior Director

Harry Wolff, Director Patents A&D



VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

Absender: DIE MIT DER INTERNATIONALEN VORLÄUFIGEN
PRÜFUNG BEAUFTRAGTE BEHÖRDE

PCT

An SIEMENS AKTIENGESELLSCHAFT Postfach 22 16 34 D-80506 München ALLEMAGNE Fr. Kleiber 30. JAN 2001		MITTEILUNG ÜBER DEN EINGANG DES ANTRAGS BEI DER ZUSTÄNDIGEN MIT DER INTERNATIONALEN VORLÄUFIGEN PRÜFUNG BEAUFTRAGTEN BEHÖRDE (Regeln 59.3 e) und 61.1 b) Satz 1 PCT sowie Abschnitt 601 a) der Verwaltungsvorschriften) Absendedatum (Tag/Monat/Jahr) 24.01.2001
Aktenzeichen des Anmelders oder Anwalts 1999P03503WO		WICHTIGE MITTEILUNG
Internationales Aktenzeichen PCT/DE 00/ 02243	Internationales Anmeldedatum (Tag/Monat/Jahr) 10/07/2000	Prioritätsdatum (Tag/Monat/Jahr) 28/07/1999
Anmelder SIEMENS AKTIENGESELLSCHAFT		

- Dem Anmelder wird mitgeteilt, daß die mit der internationalen vorläufigen Prüfung beauftragte Behörde nachstehendes Datum als Eingangsdatum des Antrags auf internationale vorläufige Prüfung der internationalen Anmeldung betrachtet:

15/01/2001
- Dieses Eingangsdatum entspricht:
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 - ☐ dem tatsächlichen Datum, an dem der Antrag für die Behörde entgegengenommen worden ist (Regel 59.3 e)).
 - ☐ dem Datum, an dem die Behörde auf die Aufforderung zur Behebung von Mängeln des Antrags (Formblatt PCT/IPEA/404) hin die erforderlichen Berichtigungen erhalten hat.
- ☐ **ACHTUNG:** Das Eingangsdatum liegt NACH dem Ablauf von 19 Monaten ab dem Prioritätsdatum. Folglich führt die im Antrag erfolgte Auswahl von Vertragsstaaten nicht zu einer Verschiebung des Eintritts in die nationale Phase bis zu 30 (oder in manchen Ämtern mehr) Monaten ab dem Prioritätsdatum (Artikel 39 (1)). Daher müssen die für den Eintritt in die nationale Phase erforderlichen Handlungen innerhalb von 20 (oder in manchen Ämtern mehr) Monaten ab dem Prioritätsdatum (Artikel 22) vorgenommen werden. Nähere Einzelheiten sind dem *PCT-Leitfaden für Anmelder*, BAND II zu entnehmen.

☐ (falls zutreffend) Diese Mitteilung gilt als Bestätigung der am _____ per Telefon, Fax oder persönlich erteilten Auskunft.
- Nur wenn Punkt 3 zutrifft, wurde dem Internationalen Büro ein Exemplar dieser Mitteilung übermittelt.

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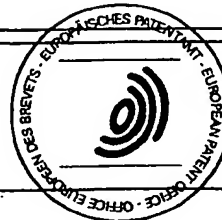


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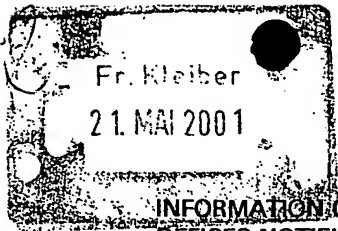
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PATENT COOPERATION TREATY



PCT

INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION

(PCT Rule 61.3)

From the INTERNATIONAL BUREAU

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Eing. 14. Mai 2001

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Date of mailing (day/month/year)

03 May 2001 (03.05.01)

Applicant's or agent's file reference

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IMPORTANT INFORMATION

International application No.

PCT/DE00/02243

International filing date (day/month/year)

10 July 2000 (10.07.00)

Priority date (day/month/year)

28 July 1999 (28.07.99)

Applicant

SIEMENS AKTIENGESELLSCHAFT et al

1. The applicant is hereby informed that the International Bureau has, according to Article 31(7), notified each of the following Offices of its election:

EP : AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE
National : US

2. The following Offices have waived the requirement for the notification of their election; the notification will be sent to them by the International Bureau only upon their request:

None

3. The applicant is reminded that he must enter the "national phase" before the expiration of 30 months from the priority date before each of the Offices listed above. This must be done by paying the national fee(s) and furnishing, if prescribed, a translation of the international application (Article 39(1)(a)), as well as, where applicable, by furnishing a translation of any annexes of the international preliminary examination report (Article 36(3)(b) and Rule 74.1).

Some offices have fixed time limits expiring later than the above-mentioned time limit. For detailed information about the applicable time limits and the acts to be performed upon entry into the national phase before a particular Office, see Volume II of the PCT Applicant's Guide.

The entry into the European regional phase is postponed until 31 months from the priority date for all States designated for the purposes of obtaining a European patent.

The International Bureau of WIPO
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